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SENATE BILL 826

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO CAPITAL EXPENDITURES; REAUTHORIZING OR
REAPPROPRIATING BALANCES, EXPANDING OR CHANGING PURPOSES OR
LOCATIONS, EXTENDING EXPENDITURE PERIODS, CHANGING AGENCIES
AND ESTABLISHING CONDITIONS FOR THE REVERSION OF UNEXPENDED
BALANCES OF CAPITAL OUTLAY PROJECTS APPROVED BY THE
LEGISLATURE IN PRIOR YEARS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SEVERANCE TAX BONDS--REVERSION OF UNEXPENDED
PROCEEDS. --

A. Except as otherwise provided in another section
of this act, the unexpended balance from the proceeds of
severance tax bonds issued for a project that has been
reauthorized in this act shall revert to the severance tax
bonding fund as follows:

. 166376. 1

underscored material = new
[bracketed material] = delete

1 (1) for projects for which severance tax
2 bonds were issued to match federal grants, six months after
3 completion of the project;

4 (2) for projects for which severance tax
5 bonds were issued to purchase vehicles, including emergency
6 vehicles and other vehicles that require special equipment;
7 heavy equipment; educational technology; or other equipment or
8 furniture that is not related to a more inclusive construction
9 or renovation project, at the end of the fiscal year two years
10 following the fiscal year in which the severance tax bonds
11 were issued for the purchase; and

12 (3) for all other projects for which
13 severance tax bonds were issued, within six months of
14 completion of the project, but no later than the end of fiscal
15 year 2011.

16 B. For the purpose of this section, "unexpended
17 balance" means the remainder of an appropriation after
18 reserving for unpaid costs and expenses covered by binding
19 written obligations to third parties.

20 Section 2. GENERAL FUND AND OTHER FUND APPROPRIATIONS--
21 LIMITATIONS--REVERSIONS.--

22 A. Except as otherwise provided in another section
23 of this act, the unexpended balance of an appropriation from
24 the general fund or other state fund that has been changed in
25 this act shall revert to the originating fund as follows:

. 166376. 1

underscored material = new
[bracketed material] = delete

1 (1) for projects for which appropriations
2 were made to match federal grants, six months after completion
3 of the project;

4 (2) for projects for which appropriations
5 were made to purchase vehicles, including emergency vehicles
6 and other vehicles that require special equipment; heavy
7 equipment; educational technology; or equipment or furniture
8 that is not related to a more inclusive construction or
9 renovation project, at the end of the fiscal year two years
10 following the fiscal year in which the appropriation was made
11 for the purchase; and

12 (3) for all other projects for which
13 appropriations were made, within six months of completion of
14 the project, but no later than the end of fiscal year 2011.

15 B. For the purpose of this section, "unexpended
16 balance" means the remainder of an appropriation after
17 reserving for unpaid costs and expenses covered by binding
18 written obligations to third parties.

19 Section 3. LA PROMESA EARLY LEARNING CENTER FACILITIES
20 CONSTRUCT--CHANGE TO BUILDING PURCHASE--SEVERANCE TAX BONDS.--
21 The unexpended balance of the appropriation to the public
22 education department in Subsection 11 of Section 8 of Chapter
23 111 of Laws 2006 to construct facilities for La Promesa early
24 learning center charter school in the Albuquerque public
25 school district in Bernalillo county shall not be expended for

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underscored material = new
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1 the original purpose but is changed to plan, design and
2 purchase a building for that school in that district.

3 Section 4. ROSWELL BRONZE PIONEER SCULPTURE-- CHANGE
4 LOCATION TO CHAVES COUNTY--GENERAL FUND.--The location of the
5 local government division project in Subsection 177 of Section
6 52 of Chapter 111 of Laws 2006 to design, construct and
7 install a bronze pioneer sculpture in Roswell is changed to
8 Chaves county.

9 Section 5. SUNLAND PARK COMMUNITY CENTER-- CHANGE TO
10 SPORTS COMPLEX--SEVERANCE TAX BONDS.--The unexpended balance
11 of the appropriation to the local government division of the
12 department of finance and administration in Subsection 149 of
13 Section 18 of Chapter 111 of Laws 2006 for a community center
14 in Sunland Park in Dona Ana county shall not be expended for
15 its original purpose but is changed to plan, design and
16 construct a sports complex in Sunland Park.

17 Section 6. DEMING NORTH INDUSTRIAL PARK RAILROAD
18 SWITCHES-- CHANGE TO WATER SYSTEM IMPROVEMENTS--GENERAL FUND.--
19 The unexpended balance of the appropriation to the department
20 of transportation in Subsection 155 of Section 52 of Chapter
21 347 of Laws 2005 for railroad siding switches in the north
22 industrial park in Deming shall not be expended for the
23 original purpose but is appropriated to the department of
24 environment to plan, design, construct and equip water system
25 improvements in Deming in Luna county.

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1 Section 7. ALAMGORDO HIGH SCHOOL TENNIS COMPLEX-- CHANGE
2 LOCATION TO CITY OF ALAMGORDO-- SEVERANCE TAX BONDS. -- The
3 location of the local government division project in
4 Subsection 217 of Section 18 of Chapter 111 of Laws 2006 for a
5 tennis complex in the Alamogordo public school district in
6 Otero county is changed to the city of Alamogordo.

7 Section 8. TULAROSA WASTEWATER RESERVOIRS CONSTRUCT--
8 EXPAND PURPOSE-- GENERAL FUND. -- The department of environment
9 project in Subsection 98 of Section 45 of Chapter 111 of Laws
10 2006 to plan, design and construct wastewater reservoirs in
11 Tularosa in Otero county may include wastewater system
12 improvements.

13 Section 9. BLOOMFIELD SIDEWALK AND BIKE LANE
14 IMPROVEMENTS-- CHANGE TO NORTH FRONTIER ROADWAY IMPROVEMENTS--
15 SEVERANCE TAX BONDS. -- The unexpended balance of the
16 appropriation to the department of transportation in
17 Subsection 76 of Section 22 of Chapter 111 of Laws 2006 for
18 sidewalk and bike lane improvements on Third and Fourth
19 streets in Bloomfield in San Juan county shall not be expended
20 for the original purpose but is changed to plan, design and
21 construct roadway improvements to North Frontier street in
22 Bloomfield.

23 Section 10. QUESTA MUSEUM IMPROVEMENTS-- CHANGE TO MULTI-
24 USE BUILDING IMPROVEMENTS-- SEVERANCE TAX BONDS. -- The
25 unexpended balance of the appropriation to the local

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1 government division of the department of finance and
2 administration in Subsection 287 of Section 16 of Chapter 347
3 of Laws 2005 for museum improvements in Questa in Taos county
4 shall not be expended for the original purpose but is changed
5 to plan, design, construct, renovate, equip and furnish
6 improvements to a multi-use building in Questa.

7 Section 11. CLAYTON ARMORY RE-ROOF--CHANGE TO PROPERTY
8 RENOVATIONS--SEVERANCE TAX BONDS.--The unexpended balance of
9 the appropriation to the local government division of the
10 department of finance and administration in Subsection 247 of
11 Section 22 of Chapter 110 of Laws 2002 for the armory in
12 Clayton in Union county shall not be expended for the original
13 purpose but is changed to renovate any town-owned building or
14 property in Clayton.

15 Section 12. PROJECT SCOPE--EXPENDITURES.--If an
16 appropriation for a project authorized in this act is not
17 sufficient to complete all the purposes specified, the
18 appropriation may be expended for any portion of the purposes
19 specified in the appropriation. Expenditures shall not be
20 made for purposes other than those specified in the
21 appropriation.

22 Section 13. ART IN PUBLIC PLACES.--Pursuant to Section
23 13-4A-4 NMSA 1978 and where applicable, the appropriations
24 authorized in this act include one percent for the art in
25 public places fund.

